

Auburn Planning Board Meeting Minutes January 10, 2012

Roll Call - Present:

City Council Liaison Robert Hayes, Daniel Bilodeau, Emily Mottram, Acting Chair Robert Bowyer, Kenneth Bellefleur, Robert Gagnon, Tim Goss, Jeremy Hammond and City Planner Eric Cousens who represented City staff.

A motion was made by Kenneth Bellefleur and seconded by Robert Gagnon to elect Robert Bowyer to act as Chair for this meeting. The motion carried 6-0-0.

A request to approve the November 15, 2011 meeting minutes was made by staff.

A motion was made by Tim Goss and seconded by Robert Gagnon to approve the November 15, 2011 Planning Board meeting minutes. After a vote, the motion carried 6-0-0.

Robert Bowyer commented that 19 pages of minutes are excessive. He said the minutes of a public meeting do not need to be something like a transcript. The minutes should clearly include all motions and formal actions from the Board and should highlight and summarize rather than attempt to record everything everybody says.

Councilor Hayes said the subject matter sometimes makes it ideal to have detailed minutes especially when it involves action from the City Council as did the PUD Ordinance Amendment which he said was an extremely complicated proposal.

A discussion ensued amongst the Members regarding whether or not the minutes of a meeting should be as detailed as the November 15, 2011 minutes were. Councilor Hayes suggested that the City Council, the Mayor and Eric have a discussion to decide if and when detailed minutes should be provided.

Public Hearings:

Michael Gotto is seeking Site Plan and Special Exception approval for three pad sites (restaurant, restaurant with drive-thru, retail or office) for Auburn Plaza Inc. for the property at 550 Center Street (Auburn Mall) (PID 280-010), pursuant to Chapter 60, Article XVI, Division 3. Special Exception of the City of Auburn Ordinances and delegated Site Location of Development Review.

Robert Gagnon stated that he would be abstaining from participating and voting on this agenda item as he had a conflict of interest having surveyed the property.

City Planner Eric Cousens read the staff report.

Michael Gotto, applicant briefly added to the staff report.

Kenneth Bellefleur asked if recommendation letter “H” was standard wording. Eric Cousens replied it was.

Tim Goss asked Mr. Gotto about the availability of parking spaces if and when the mall would be at full capacity. Mr. Gotto replied that he did not see any problem with the parking situation.

Dan Bilodeau asked how parking spaces were determined. Mr. Gotto answered that in his letter which he had submitted to the Board, he stated 116 parking spaces would be going away with the buildup of the new pad sites but would still leave an adequate amount of spaces for the retail businesses. Parking numbers total: 1,587 spaces proposed; 1,404 required.

Mr. Bilodeau asked if the roundabout was not depicted on the site plan and Mr. Gotto answered that it was not.

Chairman Bowyer said he was confused as to whether this was a subdivision or a special exception. He said he was further confused about the language in the staff report regarding the proposed transfer of land to the abutter, Nobility, LLC. Mr. Gotto explained the situation. Eric Cousens further explained that because it is a transfer of some land to the abutter, it is exempt from subdivision review under the State subdivision law.

Open Public Hearing

Tizz Crowley of 35 University Street asked for a clarification regarding marketing and the identification of separate tax ID entities. Eric explained the owner of the mall will not be getting a separate tax bill but will get a breakdown so tenants can be shown what value is attributed to their individual space.

A motion was made by Tim Goss and seconded by Dan Bilodeau to close the public hearing. The motion carried 5-0-1. (Robert Gagnon abstained)

Chairman Bowyer spoke about condition letter “I” of the staff report. He said the language about oral commitments by the applicant should be removed as it was difficult to remember years later what applicants had verbally committed to during a public hearing.

A motion was made by Dan Bilodeau and seconded by Tim Goss to approve the Site Plan and Special Exception for three pad sites (restaurant, restaurant with drive-thru, retail or office) for Auburn Plaza Inc. for the property at 550 Center Street (Auburn Mall) (PID 280-010), pursuant to Chapter 60, Article XVI, Division 3, Special Exception of the City of Auburn Ordinances and delegated Site Location of Development Review with conditions A thru I of the staff report. The motion carried 5-0-1. (Robert Gagnon abstained)

OLD BUSINESS:

Division 10 – Planned Unit Developments - Draft Planning Board recommendation to be reviewed as part of the minutes.

Eric Cousens explained that the Board had instructed him to provide the draft for the Board's review as part of the minutes at this meeting, not for a new hearing but to insure that he had captured what the Board's intent was at the November meeting. He added that it was not a new public notice and that it had not been tabled so it did not need to come off the table.

Chairman Bowyer asked the Board members if there were any places where the draft did not incorporate their understanding of what was acted upon in November. He stressed that by reviewing this they were not opening this up for debate. He asked if there was a motion to accept the recommendation to the City Council, this citizen initiated amendment as part of the record from the November 15, 2011 Planning Board meeting.

A motion was made by Tim Goss and seconded by Jeremy Hammond to forward the recommendation to the City Council. The motion carried 5-2-0. Dan Bilodeau and Kenneth Bellefleur opposed.

Kenneth Bellefleur asked if Jeremy Hammond could second the motion since he was not at the November Planning Board meeting. Chairman Bowyer agreed that he should not participate in this vote. Robert Gagnon said he would second the motion so the motion now carries 4-2-1 with Dan Bilodeau and Kenneth Bellefleur opposing and Jeremy Hammond abstaining.

MISCELLANEOUS

Eric spoke about the flood map update that is occurring throughout Androscoggin County. He said he was waiting to hear about the new elevations from FEMA and would keep the Board members up to date.

Eric spoke about the property at 836 Center Street. He stated there was a site plan approval just before the last meeting for a Credit Union which did not require Planning Board approval because the size of the building was less than 5,000 square feet.

Dan Bilodeau mentioned the City of Lewiston's latest agenda with regard to their rules to procedure, public procedures for the Freedom of Access Act and the Ethical Principles in Planning. He suggested that the Board members take a look at the documents if they wanted to better themselves as Planning Board members.

Mr. Bilodeau also referenced the October 3, 2011 City Council minutes as it mentioned the City Council had appointed the Planning Board Members to the Technical Advisory Committee as per the 2010 Comprehensive Plan.

ADJOURNMENT

A motion was made by Tim Goss, seconded by Robert Gagnon and all voted unanimously to adjourn. (6-0-0)

Auburn Planning Board Meeting Minutes February 14, 2012

Roll Call - Present:

Daniel Bilodeau, Emily Mottram, Acting Chair Robert Bowyer, Kenneth Bellefleur, Robert Gagnon, Jeremy Hammond and City Planner Eric Cousens who represented City staff.

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to elect Robert Bowyer to act as Chair for this meeting. The motion carried 5-0-0.

A request to approve the January 10, 2012 meeting minutes was made by staff.

Jeremy Hammond commented that on page 3 of the minutes he should have been considered as having abstained instead of not having been counted at all.

A motion was made by Jeremy Hammond and seconded by Robert Gagnon to approve the January 10, 2012 Planning Board meeting minutes with the above amendment. After a vote, the motion carried 5-0-0.

Chairman Bowyer explained the procedure of the Planning Board meeting to the members of the audience.

Public Hearings:

Michael Gotto is seeking Subdivision & Site Plan approval on behalf of CEI Housing Inc. for the parcel at 261 Main Street (PID# 231-004) to divide the parcel into 6 lots and construct five housing units and associated parking pursuant to Section 60-547(a)1 and Chapter 60, Article XVI, Division 4 (Subdivision) of the Ordinances of the City of Auburn.

City Planner Eric Cousens read the staff report.

Michael Gotto, applicant, added to the staff report. He introduced Tom Donahue and John Egan of CEI Housing, Inc. and the project attorney Ron Bissonnette.

Robert Gagnon commented about the setback not being 5 feet for all of the units. Mr. Gotto replied that it could easily be corrected.

Chairman Bowyer asked for clarification between a condominium verses a subdivision as this proposal is being called. Mr. Gotto explained why they were referring to this development as a subdivision and explained the unit ownership form.

Ron Bissonnette further explained why the developers chose the Unit Ownership Act instead of the Condominium Ownership Act. He said using the Unit Ownership Act would keep the costs down for future owners.

Dan Bilodeau asked about the disposition of lot 2. Mr. Gotto replied that there were no plans for lot 2 at this time. He said they are hoping for a mixed use project.

Emily Mottram asked about the funding and the different options that the developer had proposed. Mr. Gotto explained the different options and why they decided on this option.

Chairman Bowyer asked where the underground utilities were located. Mr. Gotto said they were proposing to cap the existing utilities coming into the building for future use on lot 2 and explained the plans for sewer and power.

Chairman Bowyer commented about the trees being planted on Main Street and asked why none were proposed on the Academy side. Mr. Gotto replied that he did not think there was a lot of room to have trees on the Academy side of the property. He added that they were not selling the units with a landscape allowance.

Daniel Bilodeau asked if they would sleeve the sewer lines. Eric Cousens replied that this was a question for the City Engineer.

Open Public Hearing

Jonathan Labonte, Mayor and resident of 41 Third Street commended CEI Housing, Inc., City staff and consultants and spoke in favor of the project. He commented about the future of lot 2 and Academy Street and urged Planning Board to approve.

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to close the public hearing. After a vote, the motion carried 6-0-0.

Michael Gotto stated that ordinance dictated the parking regulations.

A discussion ensued amongst the Board members and the applicant regarding the parking regulations, reason for lot 2 and setbacks of some of the units.

Dan Bilodeau asked about the possibility of Academy Street being discontinued. Eric replied the Comprehensive Plan does say that we should consider having Academy Street closed or one-way at some point and explained the reasons behind it.

Chairman Bowyer reminded the Board members that there were 2 applications before them. One was a Subdivision Plan approval request and the other was a Site Plan approval request. Mr. Bowyer formulated the following motion:

“The Planning Board approves the Special Exception and Subdivision request of the applicant CEI Housing, Inc. for the parcel at 261 Main Street (PID# 231-004) to divide the parcel into 6 lots and construct five housing units and associated parking pursuant to Section 60-547(a)1 and

Chapter 60, Article XVI, Division 4 (Subdivision) of the Ordinances of the City of Auburn with the following conditions as set forth in the staff report dated February 14, 2012.”

Dan Bilodeau said he would like to add a condition letter E to the staff report which states that a good faith agreement between CEI Housing, Inc. and the City of Auburn as to the future use of Lot 2 so that there is a vested interest not only per the Comp Plan but also the ADAPT Plan. Eric replied that the Ordinance did not have a provision that required this and encouraged that this not be a required condition of approval. He added that we can make certain that the comments that have been heard this evening are noted in the minutes.

A motion was made by Dan Bilodeau and seconded by Robert Gagnon to approve the Special Exception and Subdivision request of the applicant CEI Housing, Inc. for the parcel at 261 Main Street (PID# 231-004) to divide the parcel into 6 lots and construct five housing units and associated parking pursuant to Section 60-547(a)1 and Chapter 60, Article XVI, Division 4 (Subdivision) of the Ordinances of the City of Auburn with the following conditions A through D as outlined in the staff report.

Chairman Bowyer said he had an issue with condition letter “D” of the staff report which referenced oral commitments. He said the word oral should be deleted or substituted with the word written. He said all commitments should be documented. Eric replied that he would try to remember to remove that word from the standard language.

Dan Bilodeau added the condition to remove the word oral from the staff report’s condition letter D.

After a vote, the motion carried 5-1-0. (Kenneth Bellefleur opposed.)

OLD BUSINESS:

None at this time.

MISCELLANEOUS

The Board members commented on the City of Lewiston’s Planning Board Handbook and the added value of having one drafted for Auburn Board members.

It was decided that the date for the Joint Auburn Lewiston Planning Board Workshop would be Tuesday, February 28, 2012 at 6:00 pm.

ADJOURNMENT

A motion was made by Robert Gagnon, seconded by Kenneth Bellefleur and all voted unanimously to adjourn. (6-0-0)

Auburn Planning Board Meeting Minutes March 13, 2012

Roll Call - Present:

Daniel Bilodeau, Acting Chair Robert Bowyer, Kenneth Bellefleur, Robert Gagnon, Jeremy Hammond and City Planner Eric Cousens who represented City staff.

A motion was made by Kenneth Bellefleur and seconded by Robert Gagnon to elect Robert Bowyer to act as Chair for this meeting. The motion carried 5-0-0.

A request to approve the February 14, 2012 meeting minutes was made by staff.

Chairman Bowyer commented that on page 3 of the minutes the count for the motion to adjourn should have been 6-0-0.

A motion was made by Dan Bilodeau and seconded by Jeremy Hammond to approve the February 14, 2012 Planning Board meeting minutes with the above amendment. After a vote, the motion carried 5-0-0.

Public Hearings:

Special Exception & Site Plan approval request of Frank Crabtree, agent for Proctor and Gamble - Tambrands Inc. to construct two additions to the manufacturing facility totaling 73,500 square feet in area, a 10,000 square foot gatehouse/contractor building and associated access road and parking areas located at 2879 Hotel Road pursuant to Section 60-578(a)(14). & Section 60-578(b)(35) of the Ordinances of the City of Auburn.

Frank Crabtree, agent for Proctor and Gamble - Tambrands Inc. explained the project.

Chairman Bowyer recognized Planning Board member Ken Bellefleur as being disqualified to vote on this public hearing because of having a conflict of interest. He also explained that due to having only 4 voting members, all would have to be in favor in order for this proposal to be approved. He then proceeded to explain the procedure of the Planning Board meeting to the members of the audience.

City Planner Eric Cousens read the staff report.

Dan Bilodeau asked about pedestrian flow and Gary Bair, Project Manager and Plant Engineer for Proctor and Gamble - Tambrands Inc. spoke about the pedestrian flow.

Chairman Bowyer asked about the number of employees, and commented on the various shifts and how they affected the traffic flow at the plant.

Open Public Hearing

Roland Miller, Director of Economic Development for the City of Auburn said this was a positive impact for the City and very much supports this application.

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to close the public hearing. After a vote, the motion carried 4-0-1. (Kenneth Bellefleur abstained.)

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to approve the Special Exception & Site Plan approval request of Frank Crabtree, agent for Proctor and Gamble - Tambrands Inc. to construct two additions to the manufacturing facility totaling 73,500 square feet in area, a 10,000 square foot gatehouse/contractor building and associated access road and parking areas located at 2879 Hotel Road pursuant to Section 60-578(a)(14). & Section 60-578(b)(35) of the Ordinances of the City of Auburn with conditions A through F as outlined in the staff report.

After a vote, the motion carried 4-0-1. (Kenneth Bellefleur abstained.)

Chairman Bowyer commented about some of the language used in the list of Findings for Special Exception review. He suggested that the Board submit a list of technical corrections of the Zoning Ordinance to the City Council at least once a year. Eric agreed.

Citizen Initiated Zoning Map Amendment – Public hearing for a recommendation to the City Council on a proposal to amend the City Of Auburn Zoning Map in the area of 75 Constellation Drive from Suburban Residential to Industrial pursuant to Chapter 60, Section 1445 – 1449 of the Ordinances of the City of Auburn.

Robert Gagnon informed the Board that he would be abstaining from this Public hearing due to a conflict of interest.

Eric read the staff report.

Dan Bilodeau asked if the Airport Master Plan had been mentioned anywhere. Eric said it had not and said the Airport Manager could speak more to how it impacts this side of the lot.

Rick Cloutier, Manager of the Auburn/Lewiston Airport added to the presentation.

Dan Bilodeau asked if there were any uses in the pipeline.

Chairman Bowyer asked what the current use of the property was.

Mr. Cloutier answered that the property was currently vacant and they intended to split the lot and have some aviation uses near the runway portion and possibly have industrial development with aviation contingency to it.

Open Public Hearing

Brian Carrier of 32 Constellation Drive said he was an abutter to the property and had 2 concerns; the first concern is the address of the property being 75 Constellation Drive. He said access should be made using Hotel Road instead of Constellation Drive. The second concern is potential noise. He asked that when development is being proposed that there be some kind of abatement for noise in the planning stages. Both suggestions would protect residential properties in the area from excess noise and traffic.

Eric referenced Section 60-50 of the Zoning Ordinance which addresses Mr. Carrier's concerns about accessing the property using Hotel Road.

Mr. Cloutier mentioned that any approvals for development would have to go through the airport board first before coming to the Planning Board so there would be many public hearings for people to voice their concerns.

Dan Bilodeau asked if there would be a crash fire rescue gate opening at the end of Constellation Drive. Mr. Cloutier responded yes, the gate at the end of the road will be there for emergency use only.

A motion was made by Ken Bellefleur and seconded by Jeremy Hammond to close the public hearing. After a vote, the motion carried 4-0-1. (Robert Gagnon abstained)

A motion was made by Kenneth Bellefleur and seconded by Jeremy Hammond to send a favorable recommendation to the City Council to amend the City Of Auburn Zoning Map in the area of 75 Constellation Drive from Suburban Residential to Industrial pursuant to Chapter 60, Section 1445 – 1449 of the Ordinances of the City of Auburn.

Dan Bilodeau commented that he would be voting in favor of the amendment but wanted to say on record that the owner of this parcel, numerous times went before the airport board to get the exact type of operation that the airport is now proposing.

After a vote, the motion carried 4-0-1. (Robert Gagnon abstained)

Subdivision Review – Kittyhawk Business Park Amendment - Joe Casalinova of Building Solutions, LLC., Agent for Hartt Transportation Systems Inc is seeking Final Major Subdivision Review/Amendment for the proposed Kittyhawk Business Park Commercial Subdivision, a seven (7) Lot Subdivision of 30+/- acres, to be located at 565 Kittyhawk Avenue and an amendment to divide lot three (3) into two parcels creating an eighth (8) lot, (PID # 120-015), Pursuant to Chapter 60, Article XVI, Division 4, Subdivision of the City of Auburn.

Eric read the staff report.

Robert Gagnon asked if lot 1 was being changed along with lot 3 and Eric replied yes. Mr. Gagnon then commented about the subdivision plans not having numbers and Eric replied that the applicant will have to supply staff with stamped plans containing bearings and distances.

Brian Casalinova of Building Solutions said he had nothing further to add.

Chairman Bowyer said he was confused about some of the property lines in Drawing A1 and asked for an explanation.

Jeanette Chappell, Project Engineer for Building Solutions said the set of plans before the Board was conceptual and needed to be completed and stamped by a licensed surveyor once one of the lots gets purchased.

Eric explained that this is a review of an amendment to a subdivision plan. We do have a subdivision plan on file with the older lot line changes so there are a lot of reference points that are already established by a surveyor to use in finalizing the plan for this change but the applicant will still need to get bearings and distances for the new lot lines that are showing on this plan.

Open Public Hearing

Roland Miller, Director of Community & Economic Development said he would recommend moving forward positively with this as a slight amendment to the original plan and recommends allowing the developments to continue.

Scott Riccio of 2760 Hotel Road said he was supportive of the proposal but as a conscious effort to public safety asked that the entrance on Kittyhawk be closed and that vehicles use the easement onto First Flight Drive as is proposed by the applicants.

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to close the public hearing. After a vote, the motion carried 5-0-0.

Chairman Bowyer stated he was very comfortable with this as a concept but was uneasy having a subdivision plan that wasn't stamped and lacked dimensions, bearings and bounds. Eric accepted responsibility for the lack of information on the plans. He said it's always a tough balance to try to fit in projects on a time table that works for investment.

A motion was made by Dan Bilodeau and seconded by Jeremy Hammond to approve the Final Major Subdivision Review/Amendment for the proposed Kittyhawk Business Park Commercial Subdivision, a seven (7) Lot Subdivision of 30+/- acres, to be located at 565 Kittyhawk Avenue and an amendment to divide lot three (3) into two parcels creating an eighth (8) lot, (PID # 120-015), Pursuant to Chapter 60, Article XVI, Division 4, Subdivision of the City of Auburn subject to conditions 1 through 6 of the staff report and the additional condition that Lot 1 and Lot 3A can still have access as identified by staff.

Robert Gagnon asked what happens now. Eric gave the Board a couple of options on how they could proceed.

Dan Bilodeau amended his motion to include that surveying metes and bounds be provided on the subdivision plan. Jeremy Hammond was ok with the amendment. After a vote, the motion carried 5-0-0.

OLD BUSINESS: None at this time.

MISCELLANEOUS

534 Stevens Mill Road Dog Daycare discussion

Eric explained that the ordinance does not specify a minimum lot size required for dog daycares except that it states at least 3 acres must be made available. The owners of 534 Stevens Mill have written agreements with 3 abutting neighbors which would bring the available acreage to just over 4 acres. Eric discussed with the proponent of this that any approval is conditioned on the continued existence of the neighbor's land area and would have to cease the business if the land area went away.

Some of the Board members were concerned that future neighbors may not want to make their land available to the dog daycare. The Board preferred that the proponent of this get the neighbors to sign a deed restriction to be able to use the land as long as there is a dog daycare. Another option the members discussed was to prorate the amount of dogs per acre.

Mayor Appointed Comprehensive Plan Working Group

Eric mentioned a Comprehensive Plan Working Group was appointed by the Mayor to help the City Manager and staff keep track of what's being done in the Comprehensive Plan. The goal of the committee is to help push those initiatives forward and help guide the City Council and Planning Board on which things are due based on the timeline laid out in the Comprehensive Plan and let the policy makers decide which ones to pursue.

ADJOURNMENT

A motion was made by Robert Gagnon, seconded by Kenneth Bellefleur and all voted unanimously to adjourn. (5-0-0)

Auburn Planning Board Meeting Minutes

April 10, 2012

ROLL CALL - Present:

Evan Cyr, Robert Bowyer, Emily Mottram, Jeremy Hammond, Kenneth Bellefleur, Dan Bilodeau, Robert Gagnon and City Planner Eric Cousens who represented City staff.

The Auburn and Lewiston Planning Board members met for a workshop at the start of this meeting. Daniel Stockford and Anne Torregrossa of Brann & Isaacson presented the Board members with a training session regarding the Legal standing of the Planning Board.

The following action took place at the conclusion of the Joint Auburn / Lewiston Planning Board Workshop:

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to nominate Robert Bowyer as Chair of the Planning Board. After a vote, the motion carried 5-0-2. (Robert Bowyer and Evan Cyr did not vote)

PUBLIC HEARINGS: None at this time.

OLD BUSINESS: None at this time.

MISCELLANEOUS: None at this time.

ADJOURNMENT

A motion was made by Robert Gagnon, seconded by Kenneth Bellefleur and all voted unanimously to adjourn. (7-0-0)

Auburn Planning Board Meeting Minutes May 8, 2012

Roll Call - Present:

Evan Cyr, Daniel Bilodeau, Emily Mottram, Chair Robert Bowyer, Kenneth Bellefleur, Robert Gagnon, and City Planner Eric Cousens who represented City staff.

A request to approve the March 13, 2012 meeting minutes was made by staff.

Chairman Bowyer mentioned that on page 5, metes and bounds was spelled incorrectly.

Dan Bilodeau requested to have a portion of a sentence on page 3 removed.

A motion was made by Robert Gagnon and seconded by Kenneth Bellefleur to approve the March 13, 2012 Planning Board meeting minutes with the above corrections. After a vote, the motion carried 4-0-2. Emily Mottram and Evan Cyr abstained.

A request to approve the April 10, 2012 meeting minutes was made by staff.

A motion was made by Dan Bilodeau and seconded by Kenneth Bellefleur to approve the April 10, 2012 Planning Board meeting minutes. After a vote, the motion carried 5-0-1. Evan Cyr abstained.

Public Hearings:

Michael Gotto is seeking approval of an amendment to the Site Plan and Special Exception for 755 Turner Street to add a third pad site for Nobility LLC (PID 280-011), pursuant to Chapter 60, Article XVI, Division 3. Special Exception of the City of Auburn Ordinances.

Robert Gagnon disclosed that he had worked with the applicant on other projects but not on this particular one. It was decided that he did not have to abstain from this hearing.

City Planner Eric Cousens pointed out that the Board was absent a couple of members so requested that Kenneth Bellefleur and Robert Gagnon function as full members for this meeting.

Eric read the staff report.

Michael Gotto, applicant, explained the time line for the project and added to the staff report.

There was a discussion regarding the pedestrian walk area, landscaping, pedestrian bike rack and bike lanes, timeline for development of other pad sites, and delegated review process.

Open Public Hearing

No comments.

A motion was made by Dan Bilodeau and seconded by Emily Mottram to close the public hearing. After a vote, the motion carried 6-0-0.

A motion was made by Chairman Bowyer and seconded by Robert Gagnon to approve the amendment to the Site Plan and Special Exception for 755 Turner Street to add a third pad site for Nobility LLC (PID 280-011), pursuant to Chapter 60, Article XVI, Division 3. Special Exception of the City of Auburn Ordinances subject to the conditions enumerated starting on page 3 and ending on page 4 of the staff report with the added condition that a more detailed landscaping plan be submitted with authority to approve it given to the City staff.

After a vote, the motion carried 6-0-0.

Election of a Vice Chairperson.

A motion was made by Dan Bilodeau and seconded by Robert Gagnon to elect Emily Mottram as the Vice Chair of the Planning Board. After a vote, the motion carried 5-0-1. (Emily Mottram abstained).

OLD BUSINESS:

Dan Bilodeau asked if the Members could get a letter to the City Council requesting that they designate sitting Planning Board members to full membership without having to go through the whole selection criteria. Eric replied that it would be helpful also to encourage them to appoint members to the vacancies. He added that it was difficult to get on the City Council agenda but would be good coming from the Board to make that request.

Chairman Bowyer said he accepted that from Mr. Bilodeau as a form of a motion.

A discussion amongst the Board members ensued regarding the charter, number of full verses associate members on the Board and possibly enlisting student members to the Board.

Evan Cyr seconded the motion to send a letter to the City Council requesting that they move the associate members of the Planning Board to full membership and filling the vacancies as associate positions and appointing a non-voting student member to the Planning Board.

MISCELLANEOUS

Eric said he had provided each Planning Board Member a paper copy of the Comprehensive Plan. He also provided each member a memo from the Maine Inland Fisheries and Wildlife to the State Planning Office. He explained they are looking for some changes to the Comprehensive Plan before they can find it consistent. He said they were going to email some maps that they would like

incorporated into the Comprehensive Plan and that he would be bringing to the Board some recommended changes at an upcoming meeting.

Chairman Bowyer asked what the process was to implement changes to the Comprehensive Plan and Eric explained the process.

Dan Bilodeau asked if the letter could be added as an appendix and Eric said they want the map included in the actual Plan but certainly could add Agency Comments as an appendix so that people see these as we are going through the implementation process.

ADJOURNMENT

A motion was made by Chairman Bowyer, seconded by Robert Gagnon and all voted unanimously to adjourn. (6-0-0)

Auburn Planning Board Meeting Minutes June 12, 2012

Roll Call - Present:

Evan Cyr, Daniel Bilodeau, Emily Mottram, Chair Robert Bowyer, Kenneth Bellefleur, Robert Gagnon, and City Planner Eric Cousens who represented City staff.

A request to approve the May 8, 2012 meeting minutes was made by staff.

Evan Cyr clarified that he was present at the May meeting but could not vote as he had not been sworn in yet so had not abstained as was mentioned in the minutes.

A motion was made by Kenneth Bellefleur and seconded by Dan Bilodeau to approve the May 8, 2012 Planning Board meeting minutes with the above correction. After a vote, the motion carried 6-0-0.

Eric stated that Ken Bellefleur and Bob Gagnon could function as full members at this meeting because of the current vacancies and the Board agreed.

Public Hearings:

Special Exception and Site Plan request of David Langevin, to allow a small trucking facility, Garwin Express, to occupy the existing building at 508 Washington Street (PID 199-072) pursuant to Chapter 60, Article IV, Division 13, Section 60-499(b)(13) of the Ordinances of the City of Auburn.

Eric read the staff report.

David Langevin, applicant, said he had no further comments to add.

Open Public Hearing

No comments.

A motion was made by Robert Gagnon and seconded by Emily Mottram to close the public hearing. After a vote, the motion carried 6-0-0.

Dan Bilodeau said he was in favor of approving this proposal but was concerned about the closeness of the neighboring residence and asked if any consideration had been made to shield the neighbor in order to prevent any mishap in case children were playing in the area. Mr. Langevin said he would work with staff to come up with some type of barrier.

Emily Mottram asked about the lighting. Eric replied there is motion sensor lighting and said he has spoken to the applicant about making sure that the lights are focused on the commercial area of the property and not an adjacent parcel or residence.

Robert Gagnon asked about the financial aspect and their ability to get an extension should they not be able to pave the driveway within 12 months. Chairman Bowyer replied that because it would be included in the conditions that it was binding and would require an extension after the 12 month period.

A motion was made by Evan Cyr, and seconded by Robert Gagnon to approve the Special Exception and Site Plan request of David Langevin, to allow a small trucking facility, Garwin Express, to occupy the existing building at 508 Washington Street (PID 199-072) pursuant to Chapter 60, Article IV, Division 13, Section 60-499(b)(13) of the Ordinances of the City of Auburn subject to the conditions as stated in the staff report.

After a vote, the motion carried 6-0-0.

Subdivision Amendment to Martindale Estates - Consider the request of Martindale Estates Condo Association to amend the approval at Clubhouse Lane (PID 168-012) to allow for acceptance of the private street as a public street.

Chairman Bowyer explained the procedure of the Planning Board Hearing.

Eric read the staff report. He stated that staff recommends denying the request for the following reasons:

1. The original approval of the development was consistent with the Zoning Ordinance and Comprehensive Plan and remains so today.
2. The original approval was very clear that: *“All recreational areas / amenities, parking lots, landscaping, etc. will be privately owned and maintained by the Martindale Estates Condominiums Homeowner’s Association. It should be noted at this time that the City would not take ownership or maintenance of the private streets /drive aisles or parking areas if petitioned in the future. Therefore, the homeowner’s association will be required to maintain, repair, clear, etc. all private drives / parking areas. The Homeowner’s Association will also be the responsible for the removal of all refuse / recycling of the development.”*
3. The request will create a setback violation, require reduced right-of-way width, or a setback modification by the Board to comply with the ordinance.
4. The homeowners documents clearly state that maintenance of the private roads is a responsibility of the Association on Page 6 (attached to the petition) and all owners accepted that responsibility and the higher level of service provided when they purchased property within the development. The associated costs (association dues) are commonly considered at the time of purchase and may affect the purchase price within a development.
5. The request is a financial one, asking the general taxpayers to take on additional costs for service to a smaller group that knew the responsibilities and benefits of the private residential community when they chose to purchase property there.

Questions were asked regarding the turn-around, stormwater drainage, curbing, 50 ft right-of-way setback modification, the layout of public way, refuse disposal and recycling by members of the Planning Board.

Jim Roberts who resides on Clubhouse Lane spoke on behalf of the property owners in the Martindale Estates Condominium Association. The following comments were made:

- Clubhouse Lane is only 6/10 of a mile
- Homeowners will not be able to afford to repair the street in the future and property values will decrease
- The tax assessment of 13 homes in 6/10 of a mile is almost \$3,000,000.
- City receives cable TV fees from the development.
- There are no homeowners in the development with children in the school system
- Development does not get any property tax discounts even though the taxes are the same as other people in the community that get services such as snow plowing and trash removal.
- Part of Carriage Estates does get trash removal from the City so there are no guidelines in this whole situation
- In the past, every development in the City had a different set of guidelines depending on the developer
- All conditions of original site plan were never implemented as per a letter from David Galbraith dated January 11, 2005
- Most of the homeowners did not know what they were getting into when they were buying their homes – small paragraph which did not specify Clubhouse Lane, only says street, driveways, etc...
- All homeowners of Martindale Estates feel they are not being treated fairly by the City

David Hamilton, new resident of Clubhouse Lane said he was just finding out about all of this. His main concern was trash pick-up. He said they have to pay to have someone pick up their trash and for snow removal, however, they pay the same taxes as everyone else. He spoke about the size of the road and surveying and appreciated the City not requiring a survey before this meeting. He stated there were 2 factors: 1st is the public service being the same as with other communities and 2nd as having a City road as opposed to a private way.

Mr. Roberts commented that there is no reason the street cannot be accepted as is.

John Haynes of Clubhouse Lane said this was an issue of fairness and depended on who was negotiating at the time of development. He said if Mr. Turner were living in the development for any length of time, he would not have negotiated what he did. He mentioned an older development on Hotel Road that did receive City services. He said in the real world, no one reads the whole legal document so unless the developer is sitting right there at the closing explaining everything that's involved with the development, you just don't find out until it's too late.

Chip Larley of 33 Clubhouse Lane said he did not have anything new to add but hoped the Board would vote positively.

Evan Cyr asked when did new owners read the CC&R's or bylaws of the condo association. Mr. Roberts replied usually after the closing or not at all.

Chairman Bowyer asked if the Condo Association had a reserve of funds set up for future repairs. Mr. Roberts replied that they pay \$160 per month and cannot put any money into the reserves because the monthly dues go toward expenses. He said the future of the development is in jeopardy because they cannot afford to maintain the street.

Eric clarified that Clubhouse Lane was a private road and could be gated if the Condo Association chose to do so.

Kenneth Bellefleur asked if Mark Turner was in the audience as he noticed that Mr. Turner had signed the petition. Mr. Roberts replied that Mr. Turner owned 2 properties in the development.

Dan Bilodeau explained that as a member of the Comprehensive Plan Committee, he and others on the committee were encouraged by planners and staff not to accept any more streets because it had become burdensome to the City.

Mr. Hamilton commented that he understood but asked shouldn't there be an adjustment in their taxes for services not being rendered in the development?

Chairman Bowyer explained that the homeowners in the Condo Association are getting a level of taxation because willing buyers set the price and that's what the Assessing Department relies on. He added it is the interaction of the real-estate market, not who has what services.

A motion was made by Robert Gagnon and seconded by Evan Cyr to close the public hearing. After a vote, the motion carried 6-0-0.

There was a discussion amongst the Board members. The following are some of the comments that were made:

- The developer possibly gained an additional 2 to 3 units by keeping the roadway as private and including it in the overall density calculation.
- There was also contemplated, an extension to the road that does not exist today for additional units at the time of original approval and which the Association could still explore to generate some revenues and increase the number of people that share in those expenses.
- Could request that Public Works look at providing trash pick-up.
- There are adjustments and/or modifications that would need to be made to the prior zoning approval and the prior subdivision approval. The City Council is ultimately responsible to approve a private road as public.
- The Association would have to meet the street design and acceptance standards in order to become an accepted street.

- Need to stop negotiating private roads. This is a clear example where the developer who received the benefit is signing the petition to have the road become a public road.
- Opening the door to other developments coming forward and wanting the same benefit.
- Many communities have chosen that they will not accept any more streets. That, as a policy will only allow development along existing roads or on private streets.
- Difficult to face residents that we feel for and stick to that policy.
- We are in a murky area of inequity. We as a Board have to evaluate both sides of the fiscal situation.

A motion was made by Robert Gagnon and seconded by Emily Mottram to deny the request of Martindale Estates Condo Association to amend the approval at Clubhouse Lane (PID 168-012) to allow for acceptance of the private street as a public street and recommend that the City Council not accept the street for the reasons 1 through 5 as outlined in the staff report.

After a vote, the motion for denial carried 6-0-0.

The Board members continued their discussion on this subject.

OLD BUSINESS:

Auburn Business Development Corporation is seeking an extension of approval for a period of six months for the Auburn Industrial Subdivision, an eight (8) Lot Subdivision of 98.85+/- acres, to be located off Lewiston Junction Road, (Parcel ID #'s 118-002, 118-004 and a portion of 130-001).

A discussion amongst the Board members ensued regarding the request.

George Dycio, on behalf of Auburn Business Development Corporation (ABDC) thanked the Board for their consideration and briefly explained the financial situation of the corporation.

A motion was made by Kenneth Bellefleur and seconded by Robert Gagnon to approve the extension of approval for a period of six months for the Auburn Industrial Subdivision, an eight (8) Lot Subdivision of 98.85+/- acres, to be located off Lewiston Junction Road, (Parcel ID #'s 118-002, 118-004 and a portion of 130-001).

After a vote, the motion carried 6-0-0.

MISCELLANEOUS

Eric stated that Jeremy Hammond had resigned from the Planning Board because he will be living outside of Auburn.

Eric spoke about the vacancies on the Board and the up and coming informational meeting that FEMA was presenting in July regarding the Flood Plain and the new designations in the area.

ADJOURNMENT

A motion was made by Emily Mottram, seconded by Kenneth Bellefleur and all voted unanimously to adjourn. (6-0-0)

Auburn Planning Board Meeting Minutes July 10, 2012

Roll Call - Present:

Evan Cyr, Emily Mottram, Chair Robert Bowyer, Kenneth Bellefleur, Robert Gagnon, and City Planner Eric Cousens who represented City staff.

Public Hearings:

Request of Michael Gotto on behalf of Veterinary Support Services to construct a 9,441 square foot building and operate an animal cremation service at 171 Kittyhawk Avenue (PID#131-002) pursuant to Chapter 60, Article IV, Division 16, Section 60-578 of the Ordinances of the City of Auburn.

Eric read the staff report.

The applicant, Michael Gotto introduced Paul Cutter of Veterinary Support Services, and showed where on the site plans the proposed building would be located.

Robert Gagnon asked if the 10 parking stalls were being required by the City. Mr. Gotto replied that he had looked at the code requirements and came up with 10 stalls based on the building's square footage and the fact that there would be 7 employees. The number of stalls allows for some growth and visitor parking.

Chairman Bowyer commented that he drives by the site frequently and said he cannot see much of the site from the road. He asked if that would remain to be the case. Mr. Gotto answered that they hoped it is the case as they intentionally set the building back. He explained that this type of business does not need visibility and would prefer to be secluded and off to the side. He said they are leaving approximately 75 feet of wooded buffer along the front.

Chairman Bowyer asked about the grading on the site. Mr. Gotto explained that the site was fairly flat and needed to have grading to create movement for drainage. He explained they would be coming in from the road and up into the site where the building would sit up a couple of feet from the current grade. He said they will be grading the lawn area off and create a couple of drainage swales that will make the water flow around to a couple of detention areas that are connected to a control structure and drained to the street.

Mr. Gotto continued saying this site has several things going against it. He said it is flat, has sandy soils and the applicants have to deal with storm water requirements of the State and the City.

Open Public Hearing

No comments.

A motion was made by Kenneth Bellefleur and seconded by Emily Mottram to close the public hearing. After a vote, the motion carried 5-0-0.

Kenneth Bellefleur asked for a change to Recommendation “C” that they strike the word diskette and replace it with CD.

Chairman Bowyer commented about the Findings letter “G” where it refers to the City’s Master Development Plan. He said it should be referring to the City’s Comprehensive Plan.

A motion to forward a positive recommendation to the City Council was made by Robert Gagnon and seconded by Emily Mottram to construct a 9,441 square foot building and operate an animal cremation service at 171 Kittyhawk Avenue (PID#131-002) pursuant to Chapter 60, Article IV, Division 16, Section 60-578 of the Ordinances of the City of Auburn and that the proposal meets the standards for Special Exception and with conditions A thru F as outlined in the staff report and “G” of the Findings as amended.

After a vote, the motion carried 5-0-0.

OLD BUSINESS: None at this time

MISCELLANEOUS

Ice Arena Informational Discussion. Mike Gotto spoke about the plans for the proposed Turner Street site. Denis D’auteuil, Director of Public Works added to Mr. Gotto’s presentation. Several Planning Board members asked questions.

Planning Board Handbook. The Planning Board members went through the first few chapters of the draft handbook. The members discussed the Associate/Alternate membership status and asked for further clarification.

ADJOURNMENT

Auburn Planning Board Meeting Minutes

August 14, 2012

Roll Call - Present:

Mia Poliquin Pross, Evan Cyr, Emily Mottram, Chair Robert Bowyer, Kenneth Bellefleur, Robert Gagnon, Dan Bilodeau, Dan Philbrick, Marc Tardif, and City Planner Eric Cousens who represented City staff.

Chairman Bowyer welcomed and introduced the following new members of the Planning Board: Mia Poliquin Pross (Associate Member), Dan Philbrick (Full Member) and Marc Tardif (Full Member). He added that Robert Gagnon would now be functioning as a Full Member on the Board.

Public Hearings:

Citizen Initiated Zoning Map Amendment – Public hearing for a recommendation to the City Council on a proposal to amend the City Of Auburn Zoning Map in the area of South Witham Road from Low Density Country Residential District to Low Density Rural Residence District. The proposed changes include a strip of land 450' deep from the centerline of and parallel to South Witham Road on the parcels at 336 South Witham Road (PID # 137-024), 386 South Witham Road (PID137-025-001), 349 South Witham Road (PID# 137-014-001) and 275 South Witham Road (PID 137-014 / 137-014-002) pursuant to Chapter 60, Article XVII, Division 2 of the Ordinances of the City of Auburn.

Chairman Bowyer explained the procedure that is followed for Public Hearings.

Eric read the staff report.

Chairman Bowyer asked for clarification on which parcels were requested to be rezoned and whether it would require a separate action if the Board decided to recommend to the City Council a larger area for rezoning. Eric explained the need for a modified public notice if the Planning Board voted to recommend rezoning a larger area than is being requested in the original petition. That can be addressed at the Council Public Hearing and the notice will be expanded for mailing to additional property owners.

Robert Gagnon asked if there were any residents that did not want the zone changed. Eric replied that there were and their properties were intentionally excluded from the petition that was circulated. Mr. Gagnon asked if there is sufficient frontage on the lots proposing a zone change and Eric replied all of the lots have legal frontage under the current zoning as well as the proposed zoning. Mr. Gagnon asked how far up the road did the Comprehensive Plan recommend the zone

be changed in this area and Eric replied to where it gets back into the 1 acre Rural Residential zoning district.

Open Public Hearing

Elaine Whickman of 336 South Witham Road explained the reasons behind the rezoning petition.

Robert Gagnon asked how many people from the neighborhood had signed the petition and Ms Whickman replied all of them.

Chairman Bowyer mentioned the need for water and sewer connection and Ms. Whickman said water and sewer would be provided to the site

Dan Bilodeau asked if any recreational trails had been used by the neighborhood consistently and Ms. Whickman said she did not know of any.

John Wheeler of River Road said he was in favor of it.

A motion was made by Dan Bilodeau and seconded by Emily Mottram to close the public hearing. After a vote, the motion carried 7-0-0.

Robert Gagnon said he would prefer to have the zone expanded to include the whole strip. He said he could see the neighbors coming to the Planning Board in 5 years requesting a zoning change.

Dan Bilodeau commented that this might open it up to more subdivisions.

Chairman Bowyer explained that one of the tasks of the Planning Board is to implement the Comprehensive Plan.

A motion to forward a positive recommendation to the City Council was made by Robert Gagnon and seconded by Evan Cyr to change the entire swath that is Low Density Country Residential to Rural Residential along South Witham Road to the northern boundary of the Turnpike as designated on the Comprehensive Plan.

After a vote, the motion carried 7-0-0.

985 Turner Street - Michael Gotto, on behalf of Auburn Plaza, Inc., is requesting approval of a site plan, special exception and delegated Site Location of Development Review to construct a proposed 60,000 square foot, 2-sheet Ice Arena at 985 Turner Street (PID 290-010-001) with associated site improvements, pursuant to Chapter 60, Article IV, Division 13, Section 60-499(a)(19) and Section 60-499(b)(17) of the Ordinances of the City of Auburn.

Robert Gagnon declared that he had done the boundary survey on this site on Turner Street. He stated that he had nothing to do with the design or anything else and did not see any tangible work

in the future regarding this project. The Board members discussed the disclosure and agreed that Mr. Gagnon was able to act in an unbiased manner and could participate on this hearing.

Eric read the staff report. Eric mentioned that a letter from Jeremiah Bartlett who was on the Comprehensive Plan Committee should be made as part of the record.

A discussion ensued between some Planning Board members and Eric regarding what constituted the peak travel times for the area.

Mike Gotto, on behalf of Auburn Plaza, Inc., said he appreciated all of the help that City staff had given him in preparing this application. He went over the Auburn Mall Master Plan. Mr. Gotto and Roland Miller, Director of Economic Development for the City spoke about the development in the area. Mr. Gotto spoke extensively about traffic peaks times.

Evan Cyr stated that hockey games already occur at Pettengill Park and asked if the traffic engineers had taken a look at their traffic numbers during games. Mr. Gotto replied that they used as a guide the traffic studies of a new ice arena in Saco and a basketball arena in Portland. He said the specific use of this facility would be driven by high school games so the peak times would be Wednesdays and Saturdays.

Emily Mottram asked if the improvement to Kings Road was taken into consideration when projecting peak traffic numbers. Mr. Gotto explained the process of generating peak travel. Eric pointed out that at a recent traffic scoping meeting it was said that that intersection at King's Road was already not functioning well, and with room for 10 vehicles deep and 2 lanes wide it will function at a higher standard than it did.

Mr. Gotto continued to talk about the area's predevelopment activity that had impacted how this project was approached. He stated that Shaws owns and manages Kings Road and that Auburn Plaza and Auburn Mall have rights to use it.

Dan Bilodeau requested more information on the pedestrian bike improvements. Emily Mottram commented on the location of the pedestrian flow that was being proposed and offered an alternative. Roland Miller explained that the grade on the site made the desired location for pedestrian walks complicated. He said it would be difficult to make them ADA compliant because of the grade. Mr. Gotto explained in detail what was being proposed.

A discussion ensued between the Planning Board members and Mr. Gotto regarding the costs associated with building bike lanes, project budget, taxes, entities involved, landscaping on the site and the lack of specifics regarding landscaping in the ordinance.

Roland Miller spoke about his involvement with the project and the steps it took to get it to this point. He explained that this project was being developed and financed by a private entity. He said the City of Auburn will be leasing this facility as a triple-net lease basis and covering all of the costs. The City will also be responsible for operations and maintenance. He stated that at some point in time, because of the provisions that are being made in the lease, the City of Auburn will have the opportunity to purchase this facility. He added that he was working with all of the property owners surrounding this site and all were in support.

Dan Bilodeau commented that the business plan that was brought forward by the Parks and Recreation Department seemed very conservative and suggested that the Parks and Rec Department, once they start to make a profit with this venture, put some monies aside to extend the bike lane.

Mr. Miller stated that he was involved with the Mall Area Master Plan and the implementation of that plan. He said a major component of the plan was the inclusion of bike lanes. He said it is the City policy that bike lanes will be incorporated into all new construction projects, especially along the arterial roadways. He said we are implementing a more complete design standard which means accommodating pedestrians, bicyclists and vehicles.

Dan Philbrick commended Mr. Miller and City staff for the location that was chosen for the 2-Sheet Ice Arena. He said this location will bring people from out of town into the City and some will use the area's existing businesses which will help the area tremendously.

Open Public Hearing

A motion was made by Robert Gagnon and seconded by Evan Cyr to close the public hearing. After a vote, the motion carried 7-0-0.

Dan Bilodeau asked for a point of clarification regarding whether or not Associate members of the Planning Board can participate in the discussion of a Public Hearing and Eric replied Associate members can participate in the discussion.

Evan Cyr commented that he liked the idea of the textured crosswalks and asked that it be included in the recommendations when a motion is made.

Several members conversed about the bicycle and pedestrian lanes. Dan Bilodeau and Emily Mottram stated that it would be beneficial if they were made available throughout the Auburn Mall area. Robert Gagnon disagreed, stating the Auburn Mall is private property and bike paths should be kept in the City's right-of-ways.

Mike Gotto said he can make provisions for bike racks now and in future pad sites but doesn't see bike paths going through these private roads. He said Kings Road / Kings Way may get redeveloped in the future between the owners of these projects and bike paths may be put along that road, if it's a road. He commented that if it's part of the parking lot access, it's not likely to have a path on it.

Marc Tardif said he was in favor of the project moving forward.

Mia Poliquin Pross agreed that it was a great project. She commented that students from St. Doms High School and Central Maine Community College may be walking to the arena using Gracelawn Road and Turner Street and some may also be utilizing the access road between the mall to the movie theater. She suggested that safety provisions be made available in future plans to accommodate for these pedestrians.

The Planning Board members and Mr. Gotto continued their discussion regarding the walkways in and surrounding the project area.

A motion was made by Robert Gagnon, and seconded by Dan Philbrick to approve the site plan, special exception and delegated Site Location of Development Review to construct a proposed 60,000 square foot, 2-sheet Ice Arena at 985 Turner Street (PID 290-010-001) with associated site improvements, pursuant to Chapter 60, Article IV, Division 13, Section 60-499(a)(19) and Section 60-499(b)(17) of the Ordinances of the City of Auburn subject to conditions A thru I as stated in the staff report with the added conditions that a bike rack is placed in a location that the developer deems suitable and that textured crosswalks be placed across major roads in the development.

After a vote, the motion carried 7-0-0.

Chairman Bowyer declared a brief recess.

A request to approve the June 12, 2012 meeting minutes was made by staff.

Dan Bilodeau stated there was an error in the middle of the first page of the minutes. He said Ken Bellefleur's name should have been there in place of his as the member that could function as a full member for that meeting. There were a few other items that needed clarification along with a few typos.

A motion was made by Dan Bilodeau and seconded by Evan Cyr to approve the June 12, 2012 Planning Board meeting minutes with the above corrections. After a vote, the motion carried 6-0-0.

A request to approve the July 10, 2012 meeting minutes was made by staff.

A motion was made by Robert Gagnon and seconded by Emily Mottram to approve the July 10, 2012 Planning Board meeting minutes as written. After a vote, the motion carried 5-0-0.

OLD BUSINESS: None at this time

MISCELLANEOUS

Eric asked the Board Members if they thought it was worthwhile to schedule a workshop within the next few months to go over any issues the members may have. He offered that working on the new handbook would be a great way for new Board members to become acquainted with the Board's policies and procedures. Many agreed and it was decided that the workshop would take place immediately following the next Planning Board meeting.

Chairman Bowyer asked each member to introduce themselves, tell everyone a little bit about themselves such as how long they've been in the twin cities and what sort of resources they bring to the Planning Board, etc...

Each Board Member gave a brief depiction of themselves.

A motion was made by Dan Bilodeau and seconded by Emily Mottram to adjourn. After a vote, the motion carried 7-0-0.

ADJOURNMENT

Auburn Planning Board Meeting Minutes September 11, 2012

Roll Call - Present:

Evan Cyr, Mia Poliquin Pross, Dan Philbrick, Emily Mottram, Chair Robert Bowyer, Dan Bilodeau, Marc Tardif, Robert Gagnon, Kenneth Bellefleur, and City Planner Eric Cousens who represented City staff.

Chairman Bowyer stated that all 7 sitting members and 2 associate members were present. He said they would be deferring action on the minutes until after the public hearings.

Public Hearings:

Chairman Bowyer explained the procedure that is used for Public Hearings.

119 Center Street - Jisel E. Lopez, agent for Cumberland Farms, Inc. is seeking Site Plan and Special Exception approval for construction of a new convenience store and gas station and associated site improvements at 119 Center Street (PID # 261-055), pursuant to Chapter 60, Section 60-499(b)(14) of the City of Auburn Ordinances.

Eric read the staff report.

Chairman Bowyer clarified that while there were 9 members present, it was the 7 full members of the Planning Board who would be sitting on this hearing.

Tom Greer, Civil Engineer from Pinkham & Greer introduced Scott Pinney as District Manager of Cumberland Farms and Jisel Lopez as the attorney overseeing the project.

Mr. Greer showed the Board members plans and sketches of the proposed site and spoke at length about the proposal.

Chairman Bowyer asked about the check dams, the flooding, and if there was a raised median.

Robert Gagnon commented that the proposed site will improve what's currently there by 100%. He listed the removal of the curb opening nearest the intersection, creating a new curb cut on North River Road and relocating the canopy as 3 items that improved the situation at that site.

Chairman Bowyer mentioned the long blank wall facing Wendy's and asked to what extent the landscaping may be softened. Mr. Greer responded that it wasn't as blank as it appeared. He described various items that the developers would be implementing to improve the site.

Chairman Bowyer asked about the hours of operation and what methods they would be implementing to prevent the chance of theft. Mr. Greer answered Cumberland Farms would be

opened 24 hours a day and said preventing theft was a big deal. He mentioned several ways they would be trying to deter would-be thieves.

Open Public Hearing

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to close the public hearing. After a vote, the motion carried 7-0-0.

A motion was made by Dan Bilodeau and seconded by Emily Mottram to approve the Special Exception and Site Plan request of, Jisel E. Lopez, agent for Cumberland Farms, Inc. for construction of a new convenience store and gas station and associated site improvements at 119 Center Street (PID # 261-055), with a front setback modification to not less than 18' for the gas island canopy pursuant to Chapter 60, Section 60-499(b) (14) of the City of Auburn Ordinances and condition A through C as presented by staff.

Chairman Bowyer asked that a date on the plans be added to Condition letter C. Dan Bilodeau agreed to modify his motion to include a date in item C.

After a vote, the motion carried 7-0-0.

292 Court Street - Tim Lachapelle, agent for Chapel Holdings LLC, is seeking approval to convert office space to as many as 15 residential units at 292 Court Street (PID# 240-284), pursuant to Chapter 60, Section 60-499(a)(1) of the City of Auburn Ordinances and State and Local Subdivision Requirements.

Robert Gagnon said he would be abstaining from this Public Hearing. Chairman Bowyer asked Mia Poliquin Pross to serve as a full member.

Eric Read the staff report.

Dan Philbrick asked about the Water and Sewer impact once the number of units increased. Eric replied that there was adequate capacity for the existing 9 units and that the Water District felt it could accommodate the additional 6 units, whether they were offices or residential units.

Mia Poliquin Pross commented that the Comprehensive Plan allowed for 10 to 12 units per acre and asked if 15 units could be allowed on this lot. Eric replied that the zoning ordinance currently allowed for a slightly higher density and stated that the Board could cut it back to be absolutely consistent with the Comprehensive Plan. He said the Comprehensive Plan would also allow for some of the units to remain as office space.

There was a discussion amongst the Board members about what the Comprehensive Plan favored.

Arthur Montana from ARCC Land Surveyors introduced Tim Lachapelle of Chapel Holdings, LLC and said they would answer any questions from the Board.

Chairman Bowyer asked for a breakdown of units and their sizes. Tim Lachapelle replied that currently there were 5 efficiency units, 2 1-bedroom units and 2 2-bedroom units. He said the proposed unit sizes on the rest of the building would be 1-bedroom or efficiencies and that he was aiming for single occupancy.

Dan Philbrick stated that he was an acquaintance of one of Mr. Lachapelle's tenants. He stated that in the winter, she was landlocked because the path she used to exit her apartment was often covered with snow. She was disabled and used a wheelchair, which made it impossible to be able to leave her apartment. He said that Mr. Lachapelle had done everything he could to provide a clear path but could not keep up with the snow plows continuously sending snow onto the path. He asked if there was a way to improve the situation for his friend while they were renovating the building.

Mr. Lachapelle replied that the problem was that the building was located on Court Street which is plowed often during snowstorms. He said it can take a few days before the City can clear the sidewalks after a storm, which he says his tenant understands.

Eric said he would encourage both the tenant and Mr. Lachapelle to contact the Public Works Department and talk to them about these issues and if the problem did not get resolved, to contact their City Councilor.

Emily Mottram suggested that the tenant be moved to a better accessible unit once more units became available.

There was a discussion about the parking spaces in regards to their location, their accessibility and the existing garage.

Chairman Bowyer asked the applicant if he would consider having office tenants in the future which would reactivate the mixed use elements of that building and Mr. Lachapelle responded yes.

Open Public Hearing

A motion was made by Evan Cyr and seconded by Emily Mottram to close the public hearing. After a vote, the motion carried 7-0-0.

Dan Bilodeau asked if it was completely unfeasible to have a walkway on either side of the existing garage to connect to the paved area where the stairs were located. Eric responded that there appeared to be a 6 foot elevation change from the contour just below the paved area at the bottom of the stairs to the face of the garage. He said the distance was approximately 40 feet around the side of that building so it may be feasible. He added that it would not meet ADA standards with the existing stairs or the slope.

Evan Cyr asked if there was a standard in regards to parking and access for a mixed use property. Eric replied as long as it's safe and convenient and there needs to be a pedestrian access way and thinks that using a sidewalk is one option. The discussion continued about the pedestrian access way and the contours of the lot.

A motion was made by Marc Tardif, and seconded by Mia Poliquin Pross to approve the Special Exception and Subdivision Request of the applicant, Tim Lachapelle, agent for Chapel Holdings LLC, to convert office space to as many as 15 residential units at 292 Court Street (PID# 240-284), pursuant to Chapter 60, Section 60-499(a)(1) of the City of Auburn Ordinances and State and Local Subdivision Requirements, subject to conditions A through D as outlined in the staff report and with the added condition that a paved all weather path be provided from the lower parking lot to the upper parking lot.

Dan Bilodeau asked for clarification of “all weather”. Chairman Bowyer said it means that it has to be able to be used 12 months out of the year. Evan Cyr said he would prefer that it read something in the effect of the surface being approved by City staff. The members also agreed that the term all-weather should be replaced with year round. Marc Tardif agreed to amend his motion.

Tim Lachapelle said he was concerned about having to remove several trees in order to fulfill the Board’s conditions. Chairman Bowyer said it did not appear from the plans that were submitted that more than 1 or 2 trees would need to be removed. He also stated that the Board had not specified which side of the garage the path needed to be placed.

Mia Poliquin Pross asked if there was lighting down by the garage. Mr. Lachapelle replied that currently there was a light on the white building and that he planned on putting one on the garage. There was continued discussion between the applicant and the Board members.

Chairman Bowyer remarked that the motion should be further amended to include adequate lighting. Marc Tardif accepted the amendment to his motion.

After a vote, the motion carried 7-0-0.

A request to approve the August 14, 2012 meeting minutes was made by staff.

Chairman Bowyer mentioned that on the bottom of page 2, where Robert Gagnon is disclosing that he had done the boundary survey on this site on Turner Street but had nothing to do with the design or anything else about the project, that the following statement needed to be added: *The Board discussed that disclosure and agreed that Mr. Gagnon did not have a conflict of interest therefore it would be acceptable for him to sit on that application.*

A motion was made by Emily Mottram and seconded by Robert Gagnon to approve the August 14, 2012 Planning Board meeting minutes with the above correction. After a vote, the motion carried 7-0-0.

Dan Bilodeau asked if the Board members ever received amended minutes. Eric mentioned the amended minutes were available on the City’s website and those that had not yet been approved by the board were clearly marked as a draft.

OLD BUSINESS:

Eric spoke about Chapter 7 of the Maine Municipal Association's Planning Board handbook. He said there was more than he was prepared to do training on and mentioned it was best to have MMA come do their standard presentation to boards.

Eric also mentioned there were no projects scheduled for the October Planning Board meeting and asked if the Board members would be in favor of cancelling that meeting and possibly scheduling a workshop for training with MMA. After some discussion, it was decided that Eric would get some training dates from MMA and forward them to the Board in ample time to decide on a date where most members could attend.

MISCELLANEOUS

None at this time.

ADJOURNMENT

A motion was made by Robert Gagnon and seconded by Evan Cyr to adjourn. After a vote, the motion carried 7-0-0.

**Auburn Planning Board Meeting Minutes
October 9, 2012**

NO MEETING THIS MONTH

**Auburn Planning Board Meeting Minutes
November 13, 2012**

NO MEETING THIS MONTH

Auburn Planning Board Meeting Minutes December 11, 2012

Roll Call

Members Present: Dan Bilodeau, Robert Bowyer Presiding, Evan Cyr, Robert Gagnon, Emily Mottram, Dan Philbrick and Marc Tardif,

Associate Members Present: Mia Poliquin Pross, and **Associate Members Absent:** Kenneth Bellefleur

Also present: City Planner Eric Cousens who represented City staff.

A request to approve the September 11, 2012 meeting minutes was made by staff.

Chairman Bowyer asked that future minutes identify who were the Full Planning Board members and who were the Associate members in attendance.

A motion was made by Dan Philbrick and seconded by Robert Gagnon to approve the September 11, 2012 Planning Board meeting minutes. After a vote, the motion carried 7-0-0.

Public Hearings:

Special Exception and Site Plan Amendment request of Susan Moore, agent for Cobalt Properties Inc. to construct a 1,337 square foot addition to the existing Irving convenience store and gas station at 1813 Washington Street (PID # 109-008), pursuant to Chapter 60, Section 60-499(b)(14) of the City of Auburn Ordinances.

Chairman Bowyer explained the procedure that is used for Public Hearings.

Eric read the staff report.

Tammy Fisk, representing Irving Oil, spoke about the proposal.

Dan Bilodeau asked about the 45 year old easements and Ms. Fisk replied that it was a moot point. Mr. Bilodeau mentioned that he was a member of the Community Forestry Board and suggested as they move forward with their expansion that they contact the Mayor's office if they were thinking of adding new seedlings or trees. Ms. Fisk said it would be taken into consideration.

Robert Gagnon asked if the 55 truck parking spaces met the ordinance. Eric said he had not looked at the parking because the applicant was not adding retail space. Mr. Gagnon also mentioned the ADA parking requirements and said he did not know if that applied to tractor trailer trucks. Eric stated that it was something the City could look at before the occupancy permit was issued.

Eric said in reference to Dan Bilodeau's question regarding easements, that he had talked to the applicant earlier and the easement actually benefited the Irving property by allowing them to cross the other property to get in there. Ms. Fisk apologized and clarified stating Irving has allowed the hotel an easement through the Irving property so they could have the back exit for their customers to come out onto Kittyhawk and be able to take the light to go left onto Washington Street.

Open Public Hearing

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to close the public hearing. After a vote, the motion carried 7-0-0.

A motion was made by Dan Bilodeau to approve the Special Exception and Site Plan Amendment request of Susan Moore, agent for Cobalt Properties Inc. to construct a 1,337 square foot addition to the existing Irving convenience store and gas station at 1813 Washington Street (PID # 109-008), pursuant to Chapter 60, Section 60-499(b)(14) of the City of Auburn Ordinances.

Robert Gagnon requested a condition be added that the parking situation be ironed out between the City and the Applicant. Mr. Bilodeau amended his motion to add the condition.

The motion was seconded by Robert Gagnon.

Chairman Bowyer noted that the Board approval letter and decision should include the reference date on the approved plans.

After a vote, the motion carried 7-0-0.

OLD BUSINESS:

Chairman Bowyer asked Eric to give a status report on the search for additional staff. Eric stated that he hoped to have a new City Planner by the February Planning Board meeting.

MISCELLANEOUS

Eric gave a brief overview of the Maine Army National Guard (MEARNG) Mt Apatite Joint Land Use Study (JLUS) that is currently being done at the Mt Apatite property.

Eric provided a basic update on the Lake Auburn Watershed study that is presently going on.

Dan Bilodeau provided the Board members a few documents containing his thoughts and findings on the subject and then proceeded to explain.

Eric mentioned that there was only 1 project at this time going before the Board in January but applicants still had a few more days to submit their proposal before the deadline. He asked the Board members if they were open to having the staff reports emailed to them instead of being delivered as usual to save on staff time and fuel and all said they were open to the idea.

ADJOURNMENT

A motion was made by Marc Tardif and seconded by Emily Mottram to adjourn. After a vote, the motion carried 7-0-0.